

Application Serial No. 10/537,935
Reply to Final Office Action of September 18, 2007

PATENT
Docket No. CU-4238

REMARKS/ARGUMENTS

Reconsideration is respectfully requested.

Claims 1-17 and 19-31 are pending in the present application before this amendment. By the present amendment, claims 1, 9, 26, and 28 have been amended. No new matter has been added.

In this paper, the remarks/arguments are presented in the order of claim numbering, beginning with the independent claim 1.

In the office action (page 25), **claims 1-6 and 31** stand rejected under 35 U.S.C. § 103(a) as being obvious over Gojno in view of U.S. Patent App. Publ. No. 2002/0166849 A1 (Singh).

The applicants respectfully **disagree**.

Claim 1 has been amended solely for clarification purposes. The presently claimed invention relates to a system and method for selling a predetermined search list order display method and associated keywords to network information providers by way of a tender system.

In a typical information search, a user can input a desired keyword in a search window and receive a plurality of search listings. Conventional keyword selling systems are conducted using only a first-come first-served selling system. This selling method includes problems that are solved by the presently claimed invention (see specification, background art for problems in the conventional art).

The presently claimed invention allows a network information provider to choose from a variety of search listing display methods (e.g. the form of the display and the

Application Serial No. 10/537,935
Reply to Final Office Action of September 18, 2007

PATENT
Docket No. CU-4238

ranking of a search listing), and then bid on the network service providers desired search listing display method. For example, referring to FIG. 1a, a network service provider may choose from a variety of forms of display, including the keyword banner 210, the knowledge search result 220, the sponsor link 230, and the plus registration 240 (shown in FIG. 1b). The presently claimed invention also allows a network service provider to bid on a specific rank within the form of display. For example, the knowledge search shown in FIG. 1a provides 5 ranks to choose from. It is possible for a network service provider to bid on a specific rank along with bidding on the specific form (e.g. could bid on rank 3 within knowledge search). As such, in the presently claimed invention keyword goods are determined according to a combination of the keyword, the form of display, and the ranking of the search list order. Therefore, the second position in a knowledge search and a third position in a sponsor link can be individual goods that can be bid on individually.

Neither Goino nor Singh teaches or suggests, the present invention of claim 1, whether Goino or Singh is considered individually or in combination. In the present invention, claim 1 specifically recites:

-- determining the lowest **limit** bidding price for each of a plurality of keywords, the lowest limit bidding price being determined in consideration of at least one of a number of page views for each keyword, a basic unit price per one page view and a weight associated with a preference for the each keyword--

Neither Goino nor Singh teaches or suggests this element of claim 1. This

Application Serial No. 10/537,935
Reply to Final Office Action of September 18, 2007

PATENT
Docket No. CU-4238

element includes determining the lowest **limit** at which a bid may be placed (i.e. determining a limit at which all bids from a network information provider must be higher than). When the lowest **limit** bidding price is determined, the tender for only a bidding price **over** the lowest limit bidding price can be performed (specification page 12, lines 22-25). Claim 1 also specifically recites that the lowest limit bidding priced is **determined** by one of a number of page views for each keyword (e.g. how often a page is viewed when a keyword is input), a basic unit price per one page view (e.g. a multiplication of page views by a basic unit price per page view), and a weight associated with a preference for the keyword. This **limit** is determined by one of the above described measurements, and then, as claim 1 recites, bidding prices are received which are —higher than or equal to the lowest **limit** bidding price—.

Therefore, when a network service provider wishes to bid on a specific search listing display method for a keyword, the network service provider must bid a value higher than or equal to the lowest **limit** bidding price. Thus, the presently claimed invention provides a requirement (that the network service provider's bid must be higher than or equal to the **limit**) for the network information provider when the network information service provider decides to bid.

Nowhere in **Goino** is this element of claim 1 taught. The examiner cites [0002] of **Goino** as anticipating this element of claim 1. However, paragraph [0002] of **Goino** is entirely different. All that [0002] of **Goino** states is that a participant offering the best price condition is the successful bidder. This does not teach in any way the above element of claim 1. In fact, **Goino** provides no lower limit on bidding whatsoever. **Goino** states that a participant (buyer) that offers the highest price to a seller is considered the

Application Serial No. 10/537,935
Reply to Final Office Action of September 18, 2007

PATENT
Docket No. CU-4238

successful bidder. There is **no** lower limit above which the buyer of Goino must bid in order to be considered successful.

Goino also mentions a counter-auction, wherein a participant (**seller**) that offers the lowest price for a buyer is the successful bidder. This means that when a buyer wishes to buy a certain item, a plurality of bidders may submit a price, and the buyer can then pick the lowest price as the successful bidder. This is in **no** way a limit that requires the bidder to bid **--higher than or equal to the lowest limit bidding price--** In other words, the lowest price that the seller offers is the **bid itself** which is **received** from the bidder; whereas, in the **presently claimed invention** the lowest limit bidding price is a **limitation** on the bid (i.e. the network information provider must bid **--higher than or equal to the lowest limit bidding price--**).

Additionally, claim 1 requires that the lowest limit bidding price be **determined** according to one of **--a number of page views for each keyword, a basic unit price per one page view and a weight associated with a preference for the each keyword--**. **Goino** teaches none of these. In fact, as stated above, Goino does not mention determining a limit on a bidding price. And Goino definitely does not mention determining a **limit** based on the above described number of page views for each keyword, etc.

At least for this reason, Goino does not teach or even remotely suggest the present invention of claim 1. Singh also does not teach this element of claim 1, the reasons for which are described below for claim 9.

Additionally, Goino does not teach: receiving **--tender conditions including the keyword and a predetermined search listing display method--**, determining a successful

Application Serial No. 10/537,935
Reply to Final Office Action of September 18, 2007

PATENT
Docket No. CU-4238

bid based on the tender conditions, and arranging --at least one portion of the search listing --according to the predetermined search listing display methods of the successful bids--. In the presently claimed invention, tender conditions, which include a keyword and a predetermined search listing display method, are received from the network information providers. A search listing display method is a way in which a listing is arranged on a search result web page. For example, the search listing display method is for determining a form of display and ranking of a search list order (described above). The forms of display and ranking are shown in FIGS. 1a and 1b. As such, when the tender conditions are received, information on how the search listing is going to be displayed is being received, hence the name search listing display method.

Also, claim 1 recites that the successful bid is determined based on these tender conditions, i.e. the successful bid is determined based on the keyword, the search display method, and the bidding price. That is, the network information provider may bid on the arrangement in which his search listing is displayed on the screen (i.e. the search listing display method). The winning bidder is then chosen based on the search listing display method (arrangement in which the search listing is displayed) and how much the network information provider bid. Additionally, a portion of the search listing is arranged --according to the predetermined search listing display methods of the successful bids--. In other words, the search listings of the successful bidders are arranged in the search listing display method specified by the network information providers who submitted the successful bids.

Goino does not teach this element of the claim. The bid condition data D3 and D4 is shown in FIGS. 6 and 8 of Goino. D3 and D4 are not in anyway --keywords-- as

Application Serial No. 10/537,935
Reply to Final Office Action of September 18, 2007

PATENT
Docket No. CU-4238

defined by the present invention, nor are they the --search listing method-- of the present invention. Instead, this data is bid condition data. The condition data D3 and D4 is related to the time slide scheme, the price slide scheme, and narrow down condition data. The time slide scheme is shown in FIGS. 7a-7d, and has nothing to do with --a search listing display method--. The time slide scheme determines a successful bid based on how close a bid is to a designated time. The price slide scheme can set different prices at different intervals of time (Giono [0127]), and also has nothing to do with the --search listing display method-- of the presently claimed invention. Narrow-down conditions are described in [0126] of Giono, and also have nothing to do with a --search listing display method--.

Additionally, Giono does not teach determining successful bids based on the tender conditions, since Giono teaches neither the search listing display method of the presently claimed invention nor the keywords of the presently claimed invention.

The presently claimed invention also recites that a portion of the search listings is arranged --according to the predetermined search listing display methods of the successful bids--. Giono does not give its bidders the option of selecting an arrangement of a search listing on a web page, and as such does not teach this element of the claim.

Singh also never teaches or even remotely suggests this aspect of the present invention.

Accordingly, Giono nor Singh, considered individually or in combination, teaches or suggests the present invention of claim 1, at least for the reasons stated above. An indication of allowable subject matter with respect to claim 1 is respectfully requested.

Application Serial No. 10/537,935
Reply to Final Office Action of September 18, 2007

PATENT
Docket No. CU-4238

As to claims 2-6, the applicants respectfully submit that these claims are allowable, at least since they depend from claim 1, which is now considered to be in condition for allowance for the reasons above.

In the office action (page 2) **Claims 9-15, 17-19, 21-23 and 26-27** stand rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Publication No. 2002/0166849 (Singh). ///

The applicants respectfully **disagree**.

As to claim 9, the applicants respectfully submit that Singh does not teach all the elements of claim 9. Claim 9 specifically recites:

-- determining the lowest **limit** bidding price for each of a plurality of keywords, the lowest limit bidding price being determined in consideration of at least one of a number of page views for each keyword, a basic unit price per one page view and a weight associated with a preference for the each keyword--

Singh does not teach this element of claim 9. As discussed above, this element teaches determining the lowest **limit** at which a bid may be placed (i.e. determining the limit that all bids must be higher than). When the lowest **limit** bidding price is determined, the tender for only a bidding price **over** the lowest limit bidding price can be performed (specification page 12, lines 22-25). Claim 9 also specifically recites that the lowest limit bidding priced is **determined** by one of a number of page views for each keyword (e.g. how often a page is viewed when a keyword is input), a basic unit price

Application Serial No. 10/537,935
Reply to Final Office Action of September 18, 2007

PATENT
Docket No. CU-4238

per one page view (e.g. a multiplication of page views by a basic unit price per page view), and a weight associated with a preference for the keyword. This limit is determined by one of the above described measurements, and then, as claim 9 recites, bidding prices are received which are --higher than or equal to the lowest limit bidding price--.

Therefore, when a network service provider wishes to bid on a specific search listing display method of a keyword, the network service provider must bid a value higher than or equal to the lowest limit bidding price. Thus, the presently claimed invention provides a requirement (that the network service provider's bid must be higher than or equal to the limit) for the network information provider when the network information service provider decides to bid.

Nowhere in Singh is this element taught. In fact, Singh does not teach this element for reasons that are very similar to those discussed above for Goino. Singh [0234] teaches only the gathering of search listing and the ranking of search listing according to the amount of the bid. However, Singh never mentions determining the lowest limit bidding price. Singh only mentions receiving the actual bids and ranking the actual bids. Singh does **not** mention a lowest limit bidding price (the lowest limit bidding price is **not** an actual bid), nor does Singh mention that the bids were required to be --higher than or equal to the lowest limit bidding price--.

Additionally, as described above, Singh does **not** teach that the lowest limit bidding price is to be **determined** according to one of --a number of page views for each keyword, a basic unit price per one page view and a weight associated with a preference for the each keyword--. Singh only mentions the ranking of bids (which are

Application Serial No. 10/537,935
Reply to Final Office Action of September 18, 2007

PATENT
Docket No. CU-4238

in no way a lowest limit bidding price) according to the amount of the bid.

At least for this reason, Singh does not anticipate the present invention of claim 9.

Additionally, Singh does not teach:

--selecting a successful bidder among a plurality of network information providers associated with the keywords according to a predetermined criterion associated with the bidding prices after a tender period of time expires, wherein the tender period of time is a period of time in which the bidding prices are accepted --

Singh does not teach a tender period of time wherein bids are accepted along with other elements of claim 9. The examiner cites [0064]-[0069] in Singh as teaching this element of the claim. However, this is not the case. Singh relates to an automated advertiser notification system. In Singh, an advertiser can specify conditions the advertiser cares about, and the system provides an automated agent that acts on behalf of the advertiser to constantly check on the conditions (Singh [0033]). The notification conditions of Singh are described in [0041]-[0050]. The examiner cites the cost condition in [0064]-[0069] of Singh. The time interval spoken of in [0064] is a time interval in which a cost condition monitors the CPC (i.e. the amount that the advertiser pays if a user clicks on the listing) during this time interval. However, there are no bids accepted during this time interval. This time interval (in Singh) is to monitor an **already existing** listing, and is not in any way a period of time wherein bidding prices are accepted.

Application Serial No. 10/537,935
Reply to Final Office Action of September 18, 2007

PATENT
Docket No. CU-4238

Accordingly, at least for the reasons stated above, Singh does not anticipate the present invention of claim 9. An indication of allowable subject matter with respect to claim 9 is respectfully requested.

As to claims 10-15, 17-19, and 21-23, the applicants respectfully submit that these claims are allowable, at least since they depend from claim 9, which is now considered to be in condition for allowance for the reasons above.

As to claim 26, the applicants respectfully submit that Singh does **not** anticipate claim 26. Claim 26 also recites:

— determining the lowest **limit** bidding price for each of a plurality of keywords, the lowest limit bidding price being determined in consideration of at least one of a number of page views for each keyword, a basic unit price per one page view and a weight associated with a preference for the each keyword--

As such, the applicants would like to resubmit the argument for claim 9 corresponding to this element of claim 26. As described above, Singh does not teach the lowest limit bidding price nor determining the lowest limit bidding price.

Additionally, Singh does not teach --generating search listing in real time-- nor does Singh teach --selecting a successful bidder among a plurality of network information providers that provided confirmation inputs--. In the presently claimed invention, network information providers send the web page titles, etc.; and a search listing is generated **in real time** so that the network information provider can confirm (or correct) the search listing. In the presently claimed invention, a successful bidder is

Application Serial No. 10/537,935
Reply to Final Office Action of September 18, 2007

PATENT
Docket No. CU-4238

selected among the network information providers that provided confirmation inputs.

This is not the case in Singh. Singh [0015] lines 15-19 only describes advertisers selecting and bidding on keywords, and has nothing to do with --generating search listings in real time-- and --offering-- them --to the network service providers--.

Additionally, Singh does not teach --receiving confirmation inputs of the network providers--. In Singh, the referral is not in any way a confirmation input. The referral is merely a consumer getting referred to the advertiser's web site through the search result list. In contradistinction, the confirmation input of the presently claimed invention is a **confirmation**, and it is received from the network information providers.

Accordingly, at least for these reasons, Singh does not anticipate the present invention of claim 26. An indication of allowable subject matter with respect to claim 26 is respectfully requested.

As to claim 27, the applicants respectfully submit that this claim is allowable, at least since it depends from claim 26, which is now considered to be in condition for allowance for the reasons stated above.

In the office action (page 17), claims 28-30 stand rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Publication No. 2001/0056396 (Goino).

The applicants respectfully **disagree**.

As to claim 28, the applicants respectfully submit that Goino does not anticipate this claim. Once again, claim 28 includes the limitation:

-- determining the lowest **limit** bidding price for each of a plurality of

Application Serial No. 10/537,935
Reply to Final Office Action of September 18, 2007

PATENT
Docket No. CU-4238

keywords, the lowest limit bidding price being determined in consideration of at least one of a number of page views for each keyword, a basic unit price per one page view and a weight associated with a preference for the each keyword—

Giono does not teach this element of claim 28 for the same reasons Giono does not teach the same element in claim 1. Therefore, the applicants would like to resubmit the arguments corresponding to this element made for claim 1.

Additionally, Giono does not teach generating search listing in real time, nor does Giono teach --receiving a confirmation input of the successful bidder for the generated search listing--. The priority list of Giono is not the same as the generated search listing, and the priority list does not include a web page title, the web page description and the image file.

Also, Giono does not teach receiving a confirmation input **of the successful bidder**. Instead, in Giono, the bidder is **selected** as a successful bidder. The successful bidder of Giono does **not** send a confirmation.

As to claim 29, the applicants respectfully submit that this claim is allowable at least since it depends from claim 28, which is now considered to be in condition for allowance for the reasons above.

As to claim 30, the applicants respectfully submit that Goino does not anticipate claim 30.

As stated in claim 1, Goino does not teach tender conditions including keywords

Application Serial No. 10/537,935
Reply to Final Office Action of September 18, 2007

PATENT
Docket No. CU-4238

and search listing display methods, nor does Goino teach the lowest limit bidding price. As such, the applicants would like to resubmit the corresponding arguments made in claim 1.

Accordingly, at least for these reasons, Goino does not anticipate the present invention of claim 30. An indication of allowable subject matter with respect to claim 30 is respectfully requested.

As to claim 31, the applicants respectfully submit that this claim is allowable at least since it depends from claim 30, which is now considered to be in condition for allowance for the reasons above.

Claims 7-8 stand rejected under 35 U.S.C. § 103(a) as being obvious over Goino in view of Singh and further in view of U.S. Publication No. 2004/0193489 (Boyd).

Claims 16 and 20 stand rejected under 35 U.S.C. § 103(a) as being obvious over Singh in view of Boyd. **Claims 24 and 25** stand rejected under 35 U.S.C. § 103(a) as being obvious over Singh in view of U.S. Publication No. 2001/0039524 (Harrison).

The applicants respectfully submit that these claims are allowable, at least since they depend from either claim 1 or claim 9, which are now considered to be in condition for allowance for the reasons above.

For the reasons set forth above, the applicants respectfully submit that claims 1-17 and 19-31, now pending in this application, are in condition for allowance over the cited references. Accordingly, the applicants respectfully request reconsideration and withdrawal of the outstanding rejections and earnestly solicit an indication of allowable subject matter. This amendment is considered to be responsive to all points raised in

Application Serial No. 10/537,935
Reply to Final Office Action of September 18, 2007

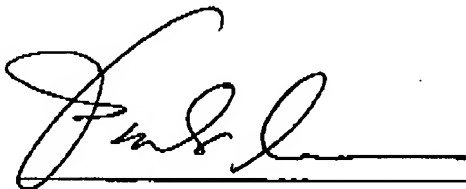
PATENT
Docket No. CU-4238

the office action. Should the examiner have any remaining questions or concerns, the examiner is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns.

When issuance of a Notice of Allowance is proper in the next action, the examiner is authorized to cancel the withdrawn claims, for which the applicant reserves the right to file a divisional application. Should the examiner have any remaining questions or concerns, the examiner is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns.

Respectfully submitted,

Dated: Dec. 7, 2007



W. William Park, Reg. No. 55,523
Ladas & Parry
224 South Michigan Avenue
Chicago, Illinois 60604
(312) 427-1300